

EXHIBIT 3

1 CLEMENT SETH ROBERTS (STATE BAR NO. 209203)
croberts@orrick.com
2 BAS DE BLANK (STATE BAR NO. 191487)
basdeblank@orrick.com
3 ALYSSA CARIDIS (STATE BAR NO. 260103)
acaridis@orrick.com
4 ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
5 405 Howard Street
San Francisco, CA 94105-2669
6 Telephone: +1 415 773 5700
Facsimile: +1 415 773 5759
7

8 GEORGE I. LEE (*pro hac vice in process*)
lee@ls3ip.com
9 SEAN M. SULLIVAN (*admitted pro hac*)
sullivan@ls3ip.com
10 RORY P. SHEA (*pro hac vice in process*)
shea@ls3ip.com
11 J. DAN SMITH (*pro hac vice in process*)
smith@ls3ip.com
12 Cole B. Richter (*admitted pro hac*)
richter@ls3ip.com
13 LEE SULLIVAN SHEA & SMITH LLP
656 W Randolph St., Floor 5W
14 Chicago, IL 60661
Telephone: +1 312 754 0002
15 Facsimile: +1 312 754 0003

16 *Attorneys for Sonos, Inc.*

17 **UNITED STATES DISTRICT COURT**
18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 GOOGLE LLC,

20 *Plaintiff,*

21 v.

22 SONOS, INC.,

23 *Defendant.*

Case No. 3:20-cv-6754-WHA

**SONOS, INC.'S SECOND SET OF
REQUESTS FOR PRODUCTION**

Honorable William Alsup

1 Spotify app accessible via either an app store or Chromecast-enabled site URL¹ (including
 2 youtube.com, music.youtube.com, tv.youtube.com, and spotify.com) individually and
 3 collectively.

4 7. “Accused Instrumentality” means any product, including variants and substantially
 5 similar products, identified pursuant to Patent L.R. 3-1(b) in Sonos’s October 21, 2021 Disclosure
 6 of Asserted Claims and Infringement Contentions or any amendment to Sonos’s Disclosure of
 7 Asserted Claims and Infringement Contentions.

8 8. “Accused Functionalities” means:

9 (i) Any and all functionalities that facilitate creating a “speaker group” using the Google
 10 Home app and playing media (e.g., music) from the speaker group, where the term “speaker
 11 group” has the meaning used by Google. *See, e.g.,*

12 <https://support.google.com/googlenest/answer/7174267>:

14 Create and manage speaker groups

15 Group any combination of Google Nest or Home speakers and displays and Chromecast devices together for
 16 synchronous music throughout the home. Your music and audio from Chromecast-enabled apps are instantly
 17 available to stream.




18 Compatible devices include Google Home, Google Nest Mini (2nd gen), Google Home Mini (1st gen), Google Home
 19 Max, Google Nest Audio, and Google Nest displays, Google Nest Wifi point, Chromecast with Google TV,
 20 Chromecast, Chromecast Ultra, Chromecast Audio, and devices with Chromecast built-in.

21 **Note:** This feature is not supported on Chromecast (1st gen).

22 [Android](#) [iPhone & iPad](#)

23 Step 1. Create and manage speaker groups

24 Create an audio group

- 25 1. Make sure your mobile device or tablet is [connected to the same Wi-Fi](#) or [linked to the same account](#) as your Chromecast, or speaker or display.
- 26 2. Open the Google Home app .
- 27 3. At the top left, tap Add  > **Create speaker group**.
- 28 4. Tap each device you want to add to the group. A check  will appear next to each device you select.
5. Tap **Next** > enter a name for your group > **Save**.

¹ *See, e.g.,* <https://support.google.com/chromecast/answer/3265953?hl=en>.

1 **REQUEST NO. 69**

2 Documents and things sufficient to show any estimate or analysis of the value of Accused
3 Instrumentalities, Accused Cast-Enabled Apps, Google Home app, and Accused Functionalities
4 and/or business unit(s) under which such products and functionalities relate.

5
6 **REQUEST NO. 70**

7 Documents and things sufficient to show competitive and market analyses, including but
8 not limited to documents identifying the market(s) in which the Accused Instrumentalities,
9 Accused Cast-Enabled Apps, and Google Home app are sold (or otherwise distributed) and the
10 competitors in such market(s) and their respective market shares.

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12 **REQUEST NO. 71**

13 Documents and things sufficient to show marketing materials, communications, and
14 internally prepared documents and presentations that describe the Accused Functionalities of the
15 Accused Instrumentalities, Accused Cast-Enabled Apps, and Google Home app.

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17 **REQUEST NO. 72**

18 Documents and things sufficient to show analyst reports, industry documents, or trade
19 articles that discuss or otherwise relate to the Accused Functionalities of the Accused
20 Instrumentalities, Accused Cast-Enabled Apps, and Google Home app.

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22 **REQUEST NO. 73**

23 Documents and things sufficient to show customer (or prospective customer) use,
24 feedback, demand, preference studies, surveys, comments, comparisons, and/or complaints
25 relating to the Accused Instrumentalities, Accused Cast-Enabled Apps, and Google Home app
26 and their functionalities (e.g., the Accused Functionalities).

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1 **REQUEST NO. 74**

2 Documents and things sufficient to show the extent of customer (or prospective customer)
3 use of and demand for the functionalities, including but not limited to the Accused
4 Functionalities, of the Accused Instrumentalities, Accused Cast-Enabled Apps, and Google Home
5 app.

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7 **REQUEST NO. 75**

8 For each of the Accused Cast-Enabled Apps, documents and things sufficient to
9 demonstrate the relative value, use, importance, and demand of being able to use the Accused
10 Cast-Enabled App to transfer (e.g., “cast”) media from a computer device installed with the
11 Accused Cast-Enabled App to one or more Cast-Enabled Media Players versus being able to use
12 the Cast-Enabled App to play media on the computer device installed with the Accused Cast-
13 Enabled App.

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15 **REQUEST NO. 76**

16 For each of the Cast-Enabled Displays, documents and things sufficient to demonstrate the
17 relative value, use, importance, and demand of being able to use the Cast-Enabled Display to
18 transfer (e.g., “stream transfer”) media from the Cast-Enabled Display to one or more other Cast-
19 Enabled Media Players versus being able to use the Cast-Enabled Display to play media locally
20 on the Cast-Enabled Display.

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22 **REQUEST NO. 77**

23 For each of the Pixel Devices pre-installed with an Accused Cast-Enabled App and/or
24 Google Home app, documents and things sufficient to demonstrate the relative value, use,
25 importance and demand of such pre-installed apps versus other pre-installed apps or
26 functionalities of the Pixel Device.

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1 internal or external correspondence or documentation regarding actual or proposed royalty rates
2 or payments.

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4 **REQUEST NO. 83**

5 Documents and things sufficient to show any consideration or use by Google of any
6 market or industry royalty rates for any actual or contemplated intellectual property license
7 agreements, settlement agreements, or market transactions.

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9 **REQUEST NO. 84**

10 Documents and things sufficient to show Google's damages contentions and theories in
11 any proceedings between Sonos and Google, including but not limited to Google's contentions
12 and theories related to the issue of a reasonable royalty bond in the ITC proceeding.

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14 **REQUEST NO. 85**

15 Documents and things sufficient to show the number of United States households that use
16 Google's Cast-Enabled Media Players and the number of registrations of such players in such
17 households.

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19 **REQUEST NO. 86**

20 Documents and things that Google contends are relevant to the calculation of any
21 reasonable royalty rate that Google contends would have been agreed upon in a hypothetical
22 negotiation between Google and Sonos.

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24 **REQUEST NO. 87**

25 Expert reports from other litigations related to any license or settlement agreement
26 concerning intellectual property that Google has produced in this case and contends are relevant
27 to the calculation of any reasonable royalty rate in this case.

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1 Dated: January 28, 2022

LEE SULLIVAN SHEA & SMITH LLP

2 By: /s/ Cole B. Richter

3 Cole B. Richter (*admitted pro hac*)

4 Clement Seth Roberts (SBN 209203)
5 ORRICK, HERRINGTON & SUTCLIFFE LLP
6 405 Howard St.
7 San Francisco, CA 94105
Telephone: 415.773.5484; Fax: 415.773.5759
croberts@orrick.com

8 Bas de Blank (SBN 191487)
9 ORRICK, HERRINGTON & SUTCLIFFE LLP
10 1000 Marsh Blvd.
11 Menlo Park, CA 94205
Telephone: 650.614.7343; Fax: 650.614.7401
bdeblank@orrick.com

12 Alyssa Caridis (SBN 260103)
13 ORRICK, HERRINGTON & SUTCLIFFE LLP
14 777 South Figueroa St., Suite 3200
15 Los Angeles, CA 90017
Telephone: 213.612.2372; Fax: 213.612.2499
acaridis@orrick.com

16 George I. Lee (*pro hac pending*)
17 Sean M. Sullivan (*admitted pro hac*)
18 Rory P. Shea (*pro hac pending*)
19 J. Dan Smith (*pro hac pending*)
20 Michael P. Boyea (*pro hac pending*)
21 Cole B. Richter (*admitted pro hac*)
22 LEE SULLIVAN SHEA & SMITH LLP
23 656 W. Randolph St., Floor 5W
24 Chicago, IL 60661
25 Telephone: 312.754.9602; Fax: 312.754.9603
lee@ls3ip.com
sullivan@ls3ip.com
shea@ls3ip.com
smith@ls3ip.com
boyea@ls3ip.com
richter@ls3ip.com

26 *Attorneys for Sonos, Inc.*

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